

9426 Montana Ave.

City of El Paso — Plan Commission — 02/22/2018

PZRZ17-00013

Rezoning

REZONING



STAFF CONTACT: Adriana Martinez, 915-212-1611, Martinezad@elpasotexas.gov

OWNER: Albert Nabhan

REPRESENTATIVE: Ray Mancera

LOCATION: 9426 Montana Ave. **DISTRICT: 3**

LEGAL DESCRIPTION: Lot A, Block 1, Scotsdale Addition, City of El Paso, El Paso County, Texas

EXISTING ZONING: C-1 (Commercial)

REQUEST: To rezone from C-1(Commercial) to C-3 (Commercial) for a retail establishment (low-volume).

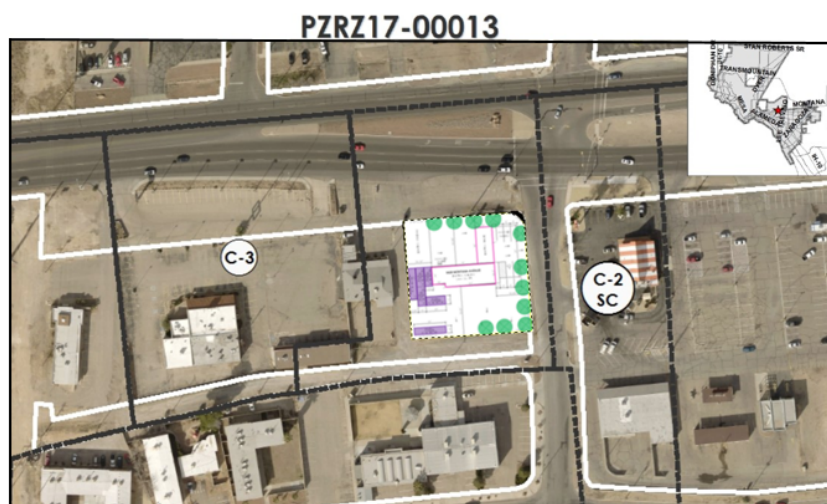
RELATED APPLICATIONS: N/A

PUBLIC INPUT Planning has not received any communication in support or opposition to the rezoning request; Notices sent to property owners within 300 feet on January 24, 2018.

STAFF RECOMMENDATION: Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The property owner is requesting a rezoning from C-1 (Commercial) to C-3 (Commercial) to accommodate a retail establishment (low-volume) for the property located at 9426 Montana Ave. The area of the rezoning request is 0.5165 acres, which features a new 6889 sq. ft. building. The current use of the property is a Liquefied petroleum gas (storage & dispensing) facility.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL** of rezoning the property from C-1 (Commercial) to C-3 (Commercial). The proposed zoning district is consistent with other commercial districts in the immediate area along Montana Ave., and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of the G-4 – Suburban (Walkable) land use designation of Plan El Paso, the City's Comprehensive Plan.



DESCRIPTION OF REQUEST

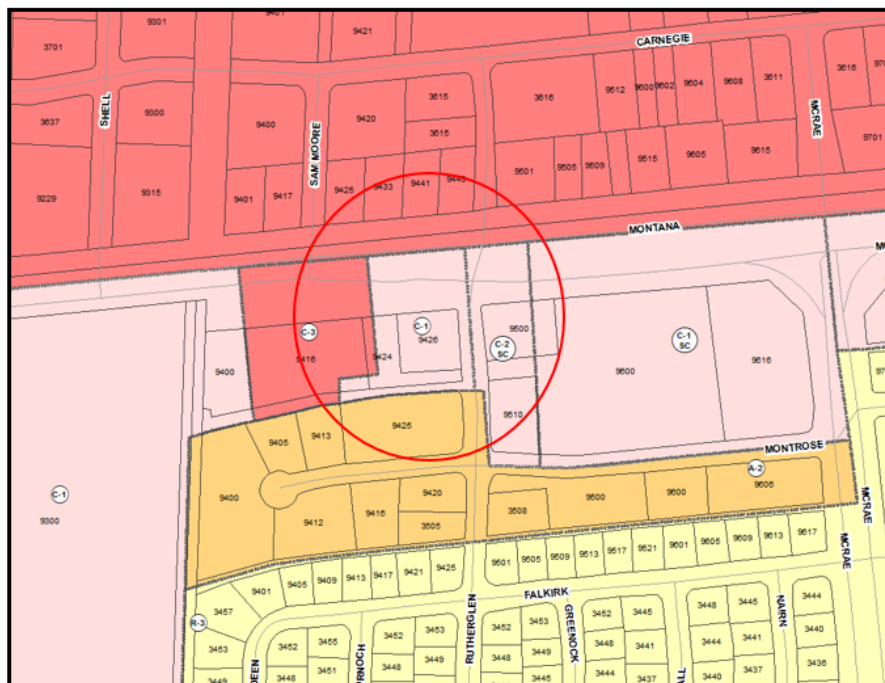
The applicant has submitted a rezoning application for the property at 9436 Montana Avenue. The property owner is requesting a rezoning from C-1 (Commercial) to C-3 (Commercial) to accommodate a retail establishment (low-volume). The area of the rezoning request is 0.5165 acres, which features a new 6889 sq. ft. building; however, after a site visit there is a building under construction in approximately 6885 sq. ft. The current use of the property is a Liquefied petroleum gas (storage & dispensing) facility.

The development requires a minimum of five (5) parking spaces and one (1) bicycle rack. The applicant is providing all five (5) parking spaces to include ADA and (1) bicycle rack. The proposed development is also in compliance with Title 18. Access to the subject property is from Montana Avenue.

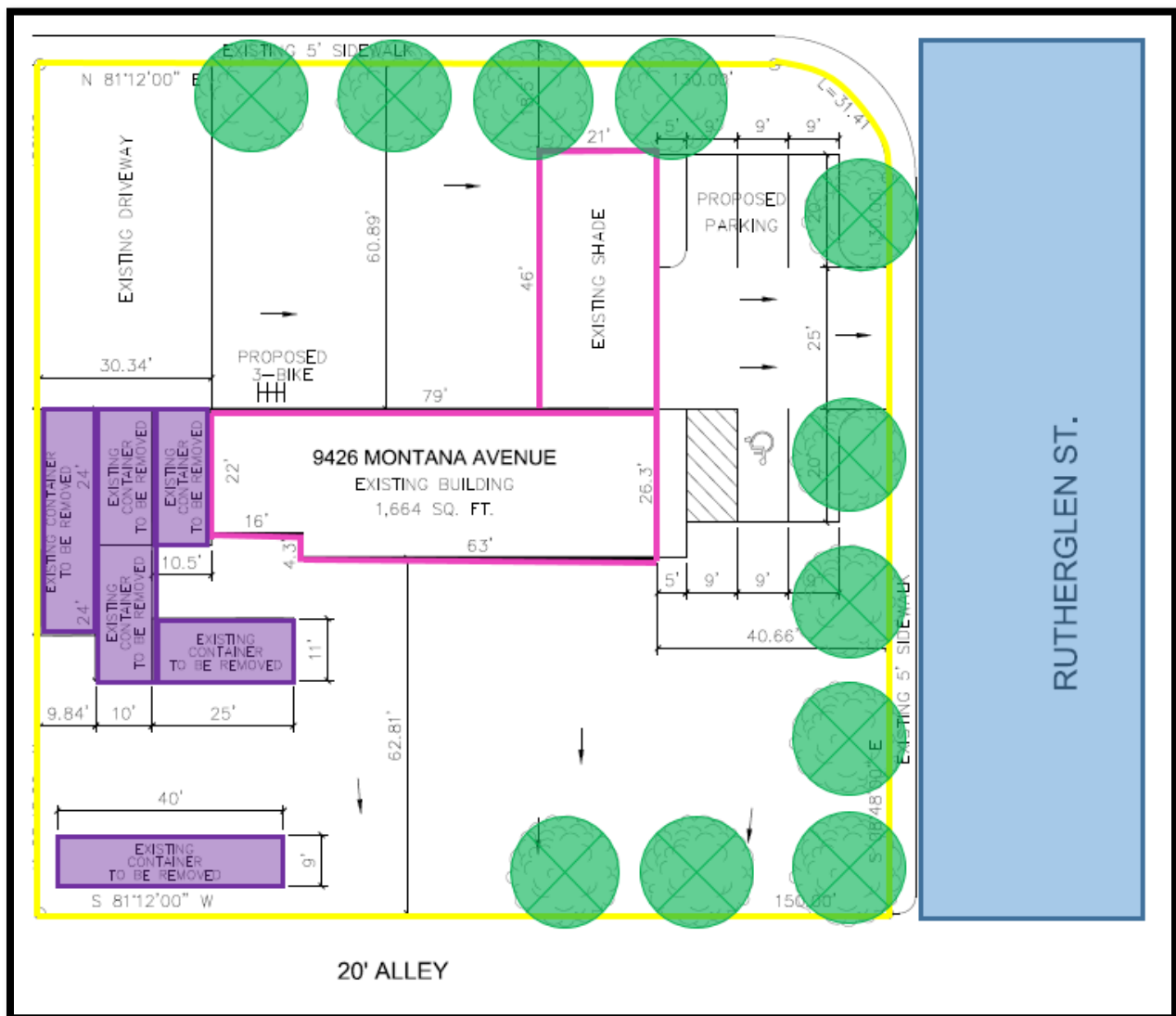
REZONING POLICY

POLICY	DOES IT COMPLY?
<u>Compatibility</u> Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	Yes, properties adjacent to the subject property are zoned C-3, C-2/sc, C-1, and A-2.
<u>Plan El Paso</u> Properties located within 300 feet of the subject property have the same or similar zoning. The zoning district opens the opportunity for new commercial uses.	Yes, the property is designated G-4, Suburban Neighborhood (Walkable) and meets the intent of similar zoning districts. The rezone is from one commercial district to another and the existing land use map designates the area as commercial.

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The site is currently zoned C-1 (Commercial) and was used, as a Liquefied petroleum gas (storage & dispensing) facility. Properties adjacent to the subject property are zoned C-3, C-2/sc, C-1, and A-2. Surrounding land uses include an automobile service station, automobile sales, and restaurants. The nearest park is Cork Park (3,512 feet) and the nearest school is Scotsdale Elementary (5,464 feet).



COMPLIANCE WITH PLAN EL PASO: The proposed project is currently being developed. The purpose of the application is to introduce a new use for a parcel within the G-4, Suburban (Walkable) land use designation. Being C-1 (Commercial) limits the uses and potential of the subject property, which is the main purpose for the rezoning request.



RELATION OF PROPOSED CHANGE TO THE CITY'S COMP. PLAN

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
<p>G-4 – Suburban (Walkable)</p> <p>This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes, The purpose of this project is to introduce new uses to the subject property, which is currently adjacent to existing commercial developments.</p>

ZONING DISTRICT	DOES IT COMPLY?
C-3 (Commercial) district is intended for establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. Permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.	Yes, retail establishment (high-volume) is a permitted use in the C-3 (Commercial) district.
POLICY	DOES IT COMPLY?
<p>1.3.1</p> <p>Most neighborhoods, even new ones, would benefit from a greater variety of activities within walking and bicycling distance. For instance, a greater number of smaller parks are preferable to a few larger ones that are accessible only to those with a private vehicle. Likewise, smaller schools often become the centerpiece of their neighborhoods rather than distant facilities to which most students must be driven or bused each day. This policy is most applicable within the G-3 "Post-War" and G-4 "Suburban" growth sectors on the Future Land Use Map.</p>	Yes, the applicant is proposing the redevelopment of an existing parcel, adding additional uses, and the potential for new employment and a variety of activities.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The lot is 150.00 ft. by 140.00 ft. (0.5165 acres). The proposed development meets the minimum dimensional standards, required under the C-3 (Commercial) zoning.

SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING: The subject site is 0.5165 acres in size (22,414 sq. ft.) and allows the proposed use under the proposed C-3 (Commercial) zoning.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the C-3 (Commercial) District is to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: There is an existing eight (8) inch diameter along the south portion of Montana Avenue west of Rutherglen Street fronting the subject property and an existing eight (8) inch diameter sanitary sewer along Rutherglen Street from Montana Avenue to Montrose Street, which both are available for service. The applicant will need to coordinate with EPWater to continue providing services to the property.

EFFECT UPON THE NATURAL ENVIRONMENT: Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.

COMMENT FROM THE PUBLIC: The subject property falls within the boundary of the Cielo Vista Neighborhood Association and the Eastside Civic Association both have been contacted as required by 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 24, 2018. Planning has not received any communication in support or opposition to the rezoning request.

STAFF COMMENTS: No objections to proposed rezoning. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

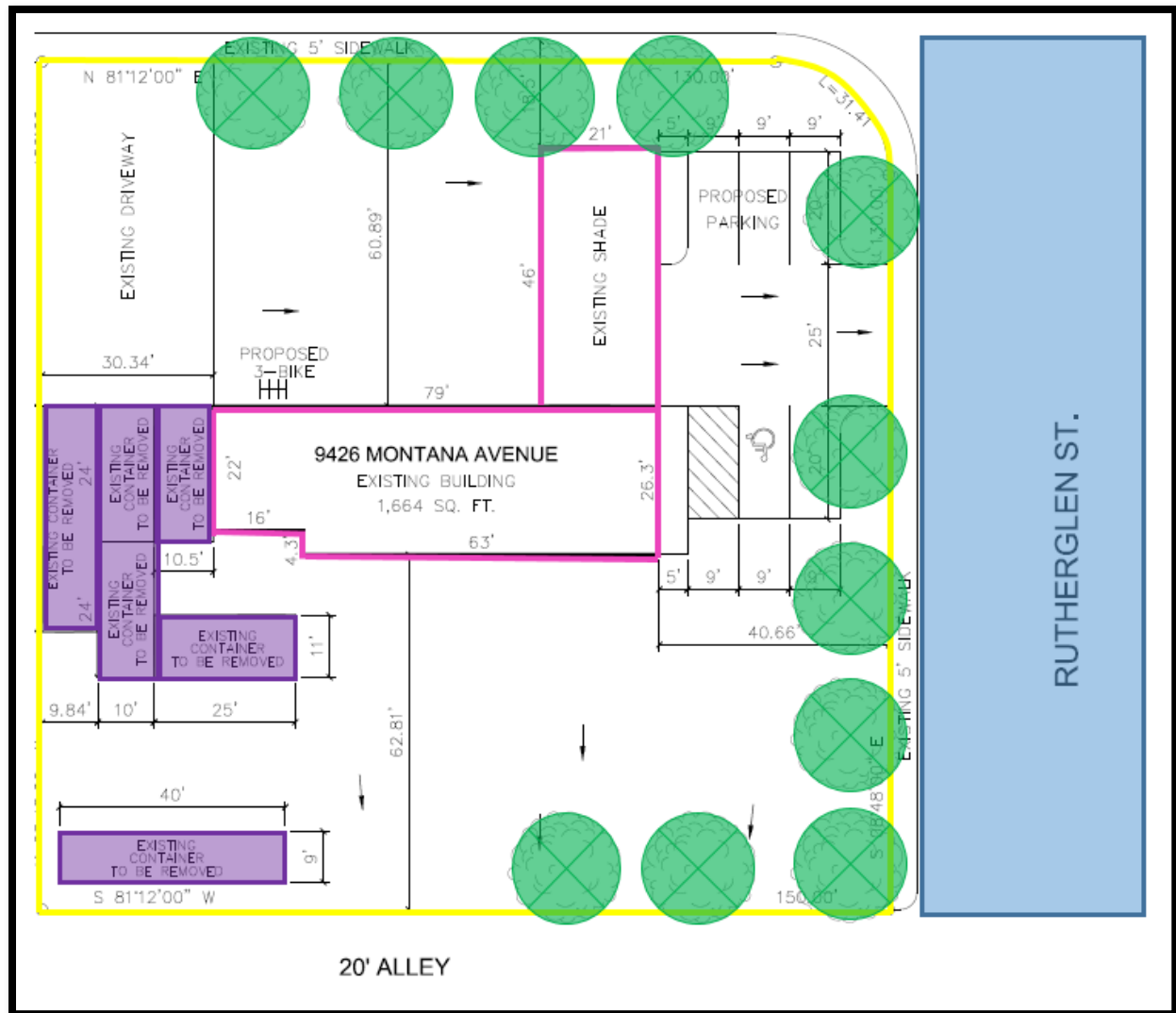
OTHER APPLICABLE FACTORS: Approval of the detailed site plan by the City Plan Commission constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

ATTACHMENTS:

1. Site Plan
2. Elevations
3. Zoning Map
4. Future Land Use Map
5. Department Comments
6. Public Notification Boundary Map

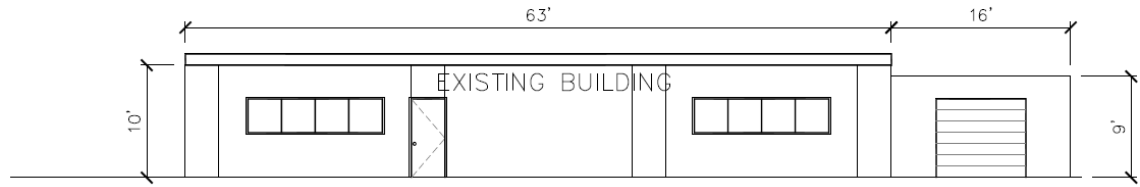
ATTACHMENT 1

Detailed Site Development Plan



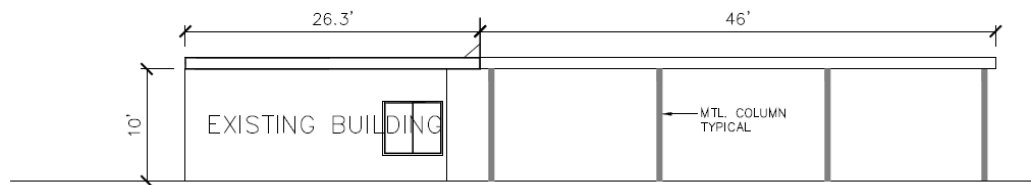
ATTACHMENT 2

Elevations



FRONT VIEW:

SCALE: 1"=10'-0"



SIDE VIEW:

SCALE: 1"=10'-0"

ATTACHMENT 3

Zoning Map



ATTACHMENT 4

Future Land Use Map



ATTACHMENT 5

Department Comments

Planning and Inspections Department- Planning Division

No objections to rezoning.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department - City Development & Permitting- Landscape

Recommend Approval

Planning and Inspections Department - Land Development

We have reviewed subject plats and recommend **Approval**.

Note: The Developer/Engineer shall address the following comments.

Provide sidewalks abutting property lines along entire property limits in compliance with ADA and TAS standards.

Add note: Add note to the detailed site plan sheet: "The difference between Historic and Developed Storm-water runoff discharge volumes shall be retained within subdivision limits (DSC, 19.19.010A and DDM, 11.1).

Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that storm-water is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Sun Metro:

Sun Metro does not oppose this request.

Note: Montana Brio will be providing outbound and inbound service in early 2020 along Montana. A proposed Brio station is located approximately 175 feet walking distance east of the subject property.

Sun Metro will have intermittent lane closures along Montana for the duration of the Montana Brio construction project.

Sun Metro route 58 provides service along Montana, with stops approximately 162 feet NE of the subject property, and an additional stop approximately 320 feet west of the subject property.

The subject property is situated within 250 feet of a proposed Brio station; therefore, the property owner will have to comply with Sun Metro/Brio specific landscape design requirements along the property line fronting Montana. Request property owner to coordinate with Sun Metro for landscape design requirements.

Fire Department

No objections to rezoning.

Police Department

El Paso Police Department has no objections.

TxDot

Request is still under review and has not been approved.

Note: Requestor has submitted a request to lease State Right of Way, but has not completed with TxDOT requirements. Request is still under review and has not been approved yet.

Applicant will need to coordinate with TxDot.

El Paso Water Utilities

We have reviewed the property described above and provide the following comments:

1. EPWater does not object to this request

Water

2. Along the south portion of Montana Avenue west of Rutherglen Street fronting the subject Property there is an existing twelve (12) inch diameter water main. This main is available for service.
3. Along Rutherglen Street from Montana Avenue to Montrose Street there is an existing twelve (12) inch diameter water main. This main is available for service.
4. Previous water pressure readings conducted on fire hydrant number 2152 located at the corner of Montana Avenue and Rutherglen Street have yielded a static pressure of 82 pounds per square inch (psi), residual pressure of 58 psi, discharge of 1,501 gallons per minute (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure-regulating device.

Sanitary Sewer:

5. Along the south portion of Montana Avenue west of Rutherglen Street fronting the subject Property there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.
6. Along Rutherglen Street from Montana Avenue to Montrose Street there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.

General:

7. Montana Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Montana Avenue right-of-way requires written permission from TxDOT.

As per EPWater Records, 9426 Montana Avenue has a vacant three-quarter (3/4) inch diameter water service.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The applicant is responsible for the costs of

any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances..

Stormwater:

We have reviewed the property described above and provide the following comments:

8. EPW-Stormwater Engineering reviewed the property described above and has no objections to the rezoning request. However, we recommend using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

ATTACHMENT 6

Notification Map

